

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Donald R. OWEN et al.

Application No.: Rule 53(b) Continuation-in-Part
of Appln No. 10/617,130

Filed: February 2, 2004

Docket No.: 040219.04

For: APPARATUS AND METHOD FOR DETERMINING EFFECTS OF A SUBSTANCE ON
AN ORGAN

INFORMATION DISCLOSURE STATEMENT

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date or the date of filing a CPA, OR (b) before the mailing date of a first Office Action on the merits in the present application. No certification or fee is required.
- 2. The references were cited by or submitted to the Office in Application No. 09/617,130, filed July 11, 2003, which is relied upon for an earlier filing date under 35 U.S.C. §120. Thus, copies of these references are not attached. 37 CFR §1.98(d).

Respectfully submitted,


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Date: February 2, 2004

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Form PTO-1449 (REV. 8-83)			US Dept. of Commerce PATENT & TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		ATTY DOCKET NO. 040219.04		APPLICATION NO. Rule 53(b) Continuation in Part of Appln No. 10/617,130	
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		5,699,793	12/23/97	Brasile				
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		5,702,881	12/30/97	Brasile et.al.				
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		3,632,473	01/04/72	Belzer				
		3,639,084	02/01/72	Goldhaber				
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		0 256 653	02/24/88	EUROPE				
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		"ORGAN PRESERVATION", J.H. Southard, Ph.D. and F.O. Belzer, M.D., <u>Principles of Organ Transplantation</u> , Chapter 10, pgs. 194-215, 1989.						
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		"CEREBRAL ISCHEMIC INJURY", Blaine C. White, <u>Emergency Medicine-A Comprehensive Study Guide</u> , Second Edition, pgs. 9-10, 1988.						
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		3,738,914	06/12/73	Thorne et al.		
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		0 297 723	01/04/89	EUROPE		
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		93/00808	01/21/93	PCT			
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		"CEREBROVASCULAR HYPOXIC AND AUTOREGULATORY RESPONSES DURING REDUCED BRAIN METABOLISM", Judith H. Donegan et al., <u>Am. J. Physiol.</u> , Vol. 249, pgs. H421-429, 1985.					
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		96/32157	10/17/96	PCT		
		2 226 482	01/04/73	GERMANY		
		760972	09/07/80	SOVIET UNION		
		0 096 997	12/28/83	EUROPE		
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	"COOLING BRAIN MAY LIMIT STROKE DAMAGE", <u>American Medical News</u> , p. 66, Nov. 17, 1989.					
	"DRUG MAY PRESERVE HEART TISSUE AFTER ATTACK", <u>The New York Times Company</u> , p. 3, Sept. 5, 1989.					
	"RADICAL THERAPY", <u>Scientific American</u> , Sept. 1987.					
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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS
		5,157,930	10/27/92	McGhee et al.		
		5,200,176	04/06/93	Wong et al.		
		5,216,032	06/01/93	Manning		
		5,217,860	06/08/93	Fahy et al.		
		5,234,405	08/10/93	Klatz et al.		
		5,285,657	02/15/94	Bacchi et al.		
		5,328,821	07/12/94	Fisher et al.		
		5,338,662	08/16/94	Sadri		
		5,356,771	10/18/94	O'Dell		
		5,362,622	11/08/94	O'Dell et al.		
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		5,385,821	01/31/95	O'Dell et al.		
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		5,437,633	08/01/95	Manning		
		5,472,876	12/05/95	Fahy		
		5,584,804	12/17/96	Klatz et al.		
		5,586,438	12/24/96	Fahy		
		5,599,659	02/04/97	Brasile et al.		
		5,712,084	01/27/98	Osgood		

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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS

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		WO 97/28449	08/07/97	PCT				
		WO 96/12191	04/25/96	PCT				
		WO 96/31779	10/10/96	PCT				
		WO 97/22003	06/19/97	PCT				
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		"EFFECT OF PHARMACOLOGIC AGENTS ON THE FUNCTION OF THE HYPOTHERMICALLY PRESERVED DOG KIDNEY DURING NORMOTHERMIC REPERFUSION", Rutger J. Ploeg et al., <u>Surgery</u> , Vol. 103, No. 6, pgs. 676-682, June 1988.						
		"INTERMEDIATE NORMOTHERMIC PERfusion DURING COLD STORAGE OF ISCHEMICALLY INJURED KIDNEYS", J.G. Maessen et al., <u>Transplantation Proceedings</u> , Vol. 21, No. 1, pgs. 1252-1253, Feb. 1989.						
		"THE BENEFICIAL EFFECT OF INTERMEDIATE NORMOTHERMIC PERfusion DURING COLD STORAGE OF ISCHEMICALLY INJURED KIDNEYS", Jos G. Maessen et al., <u>Transplantation</u> , Vol. 47, No. 3, pgs. 409-414, March 1989.						
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		"THE USE OF HEMOGLOBIN SOLUTIONS IN KIDNEY PERfusions", F.H. Daniels et al., <u>CRC Critical Reviews In Biomedical Engineering</u> , Vol. 9, Issue 4, pgs. 315-345, 1984.						
		"NORMOTHERMIC RENAL ARTERY PERfusion: A COMPARISON OF PERfUSATES", John D. Hughes et al., <u>Annals of Vascular Surgery</u> , Vol. 10, pgs. 123-130, 1996.						
		"IS NORMOTHERMIC PRESERVATION AN ALTERNATIVE TO HYPOTHERMIC PRESERVATION?", R. N. Dunn et al., <u>Organ Preservation Basic and Applied Aspects</u> , Chapter 38, pgs. 273-277, 1982.						
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		"STUDIES OF CONTROLLED REPERfusion AFTER ISCHEMIA", Pierre L. Julia, MD et al., <u>The Journal of Thoracic and Cardiovascular Surgery</u> , Vol. 101, No. 2, pgs. 303-13, Feb. 1991.						
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		"EFFECT OF ISCHEMIA AND 24 HOUR REPERFUSION ON ATP SYNTHESIS IN THE RAT KIDNEY", C.E. Irazu et al., <u>Journal of Experimental Pathology</u> , Vol. 4, No. 1, pgs. 29-36, 1989.				
		"INTERMEDIATE NORMOTHERMIC HEMOPERFUSION OF RAT KIDNEYS: FUNCTIONAL ASPECTS AND A STUDY INTO THE EFFECT OF FREE RADICAL SCAVENGERS", A.O. Gaber, <u>Transplantation Proceedings</u> , Vol. XX, No. 5, pgs. 896-898, Oct. 1998.				
		"IMPROVEMENT OF POSTISCHEMIC KIDNEY FUNCTION BY REPERFUSION WITH A SPECIFICALLY DEVELOPED SOLUTION (BT01)", Pierre Julia, MD et al., <u>Annals of Vascular Surgery</u> , Vol. 9, pgs. s-81-s-88, 1995.				
		"ISCHEMIA WITH INTERMITTENT REPERFUSION REDUCES FUNCTIONAL AND MORPHOLOGIC DAMAGE FOLLOWING RENAL ISCHEMIA IN THE RAT", Richard S. Frank, MD et al., <u>Annals of Vascular Surgery</u> , Vol. 7, No. 2, pgs. 150-155, 1993.				
		"GRAFT CONDITIONING OF LIVER IN NON-HEART-BEATING DONORS BY AN ARTIFICIAL HEART AND LUNG MACHINE IN SITU", T. Endoh et al., <u>Transplantation Proceedings</u> , Vol. 28, No. 1, pgs. 110-115, Feb. 1996.				
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		"ANALYSIS OF THE OPTIMAL perfusion PRESSURE AND FLOW RATE OF THE RENAL VASCULAR RESISTANCE AND OXYGEN CONSUMPTION IN THE HYPOTHERMIC perfused KIDNEY", R. Grundmann, M.D. et al., <u>Surgery</u> , Vol. 77, No. 3, pp. 451-461, March 1975.				
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		"PRESERVATION OF THE ISOLATED KIDNEY UNDER NORMOTHERMIC CONDITIONS BY perfusion WITH PERFLUOROTRIBUTYLAMINE EMULSION", N.N. Kontuganov et al., Article published by Plenum Publishing Corporation, pp. 371-374, 1983.				
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		3,881,990	05/06/75	BURTON et al.		
		3,712,583	1-1973	MARTINDALE et al.		
		5,051,352	9-1991	MARTINDALE et al.		
		3,845,974	11-1974	PELLOUX-GERVAIS		
		5,013,303	5-1991	TAMARI et al.		
		5,879,329	3-1999	GINSBURG		
		5,928,182	7-1999	KRAUS et al.		
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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS
		WO 97/43899	11/27/97	WIPO		
		WO 97/45527	12/04/97	WIPO		
		WO 96/29865	10/03/96	WIPO		
		WO 94/06292	03/31/94	WIPO		
		WO 91/09520	07/11/91	WIPO		
		0 376 763 A2	07/04/90	Europe		
		WO 88/05261	07/28/88	WIPO		
		545,332	10-1922	France		
		WO 96/13288	5-1996	WIPO		
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		5,326,706	7/1994	Yland et al.		
		6,024,698	2/2000	Brasile		

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		WO 91/14364	10/1991	WIPO		
		WO 97/45527	12/1997	WIPO		
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		Jan Van Der Wijk et al., "Six-Day Kidney Preservation in a Canine Model, Influence of a One-to-Four-Hour Ex Vivo Perfusion Interval," May 1983, pp. 408-411.
		M.R. Buhl et al, "The Postanoxic Regeneration of 5'-Adenine Nucleotides in Rabbit Kidney Tissue during In Vitro Perfusion," 1976, pp. 175-181.
		Gauke Kootstra et al, "A New Device Towards Intermediate Term Kidney Preservation - An Experimental Study," 1980, pp. 86-89.

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		6,100,082	08/2000	Hassanein			
		6,046,046	04/2000	Hassanein			
		5,965,433	10/1999	Gardetto et al.			
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		5,730,720	03/1998	Sites et al.			
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		5,622,429	04/1997	Heinze			
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		4,494,385	01/1985	Kuraoka et al.			
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		5,362,622	11/1994	O'Dell et al.			
		5,385,821	01/1995	O'Dell et al.			
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		WO 91/03934	04/1991	WIPO			
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		4,717,548	01/1988	Lee			
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		3,877,843	04/1975	Fischel			
		3,843,455	10/1974	Bier			
		3,810,367	05/1974	Peterson			
		3,777,507	12/1973	Burton et al.			
		3,753,865	08/1973	Belzer et al.			
		3,738,914	06/1973	Thorne et al.			
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